

Serial Number: 09/833,566
OA dated June 9, 2004
Amdt. dated September 28, 2004
Supplemental Amdt. dated November 9, 2004

REMARKS

By the present amendment, claims 15, 16, 19, 29-33, 35-41 and 43-44 have been amended to obviate the examiner's objections thereto. It is submitted that these amendments to the claims do not raise new issues which would require further consideration and/or search. In addition, it is submitted that such amendments place the application in better form for appeal by materially reducing or simplifying the issues for appeal. Furthermore, no additional claims are presented without cancelling a corresponding number of finally rejected claims. In view of the above, it is submitted that entry of the above amendments is in order and such is respectfully requested.

In the Advisory Action, various claims were rejected under the second paragraph of 35 USC § 112 as being indefinite. In particular, it was asserted that (a) claims 15 and 19 were amended to refer to a "first electrode" and a "second electrode," but claims 15, 16, 19, 29-33 and 37-41 are indefinite for still referring to "the electrode" and "said electrode," and (b) the use of the phrase "the space" in claims 35, 36, 43 and 44 is indefinite in view of the recent amendments to other claims so as to recite "vacant space."

As noted above, these claims have been amended herein and it is submitted that these amendments obviate any allegation that the claims contain indefinite recitations. Specifically, claims 15, 16, 19, 29-33 and 37-41 have been amended to replace the

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phrases "the electrode" or "said electrode" with "the first electrode" and claims 35-36 and 43-44 have been amended to recite "the vacant space" instead of "the space." Accordingly, withdrawal of the rejection under the second paragraph of 35 U.S.C. § 112 is respectfully requested.

In view of the foregoing, it is submitted that the subject application is now in condition for allowance and early notice to that effect is earnestly solicited.

In the event this paper is not timely filed, the undersigned hereby petitions for an appropriate extension of time. The fee for this extension may be charged to Deposit Account No. 01-2340, along with any other additional fees which may be required with respect to this paper.

Respectfully submitted,

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